



# LEGISLATIVE BRANCH CITY OF BINGHAMTON

Teri Rennia, City Council President  
Jeremy Pelletier, City Clerk

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**COUNCIL OF THE CITY OF BINGHAMTON**  
**Business Meeting Minutes**  
**City Council Chambers, 38 Hawley Street, Binghamton, NY 13901**  
**Wednesday November 19, 2014**

**CALL TO ORDER**

Called to order by City Council President Rennia at 6:33pm.

**PLEDGE OF ALLEGIANCE**

City Council City Council President Rennia led the Pledge of Allegiance.

**ROLL CALL**

**City Council Members Present:** Jerry Motsavage, Joseph Mihalko, Teri Rennia, Chris Papastrat, John Matzo, Bill Berg

**City Council Members Absent:** Lea Webb

**Also Present:** Jeremy C. Pelletier, City Clerk; Tito Martinez, Deputy City Clerk; Allison Sosa, Assistant Corporation Counsel

**REPORTS FROM COMMITTEES AND APPROVAL OF MINUTES**

Motion to approve the minutes from the Business Meeting held on Wednesday November 5, 2014.

Moved by Motsavage, seconded by Berg.

**Voice vote, none opposed.**

**PUBLIC COMMENT/COMMUNICATION**

Jack Sheehan, <sup>1</sup>Tito Martinez (read a letter on behalf of City Council)

Commissioner Anthony Annucci  
Office of the Commissioner  
Building 2 State Campus  
Albany, NY 12226-2050

Wednesday November 19, 2014

**RE: LETTER AGAINST RELEASE OF JAMES B. WALES**

Dear Commissioner Annucci,

We, the undersigned members of Binghamton City Council, are writing today to express our opposition to the transfer of James B. Wales from a Maximum Security Prison to a Medium Security Prison and his potential parole in March of 2017. Cheri Lindsey's family and many residents of the City of Binghamton have contacted City Council expressing their deep concerns with the recent move of James B. Wales to a Medium Security Prison because this is one step towards his potential parole in March 2017. Also over 3,500 individuals have signed a petition against the release of James B. Wales. We strongly urge that you reconsider the move of James B. Wales to a Medium Security Prison and deny him parole in March 2017.

Thank you for your consideration.

Motion to suspend the rules to move Reconsidered Legislation to the end of the Business Meeting

Moved by Berg, seconded by Motsavage.



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**Voice vote, none opposed.**

## **FIRST READING LEGISLATION**

### **Introductory Ordinance 14-61. Considered in Employees, Chair: Berg**

An Ordinance amending Section 26-12 of the Code of the City of Binghamton, regarding City Council's salary starting in 2016

*Note: Public Hearing was held on Wednesday, November 5, 2014.*

Motion to approve legislation. Moved by Berg, seconded by Motsavage.

### **Motion carried. Legislation adopted as Permanent Ordinance 14-61. (Vote 6-1)**

Ayes: Motsavage, Mihalko, Rennia, Webb, Papastrat, Berg

Nays: Matzo

Absent: None

### **Introductory Ordinance 14-63. Considered in Finance, Chair: Berg**

An Ordinance authorizing an amendment to the 2014 Water Department budget to pay JSTP IPP bills

Motion to approve legislation. Moved by Berg, seconded by Matzo.

### **Motion carried. Legislation adopted as Permanent Ordinance 14-62. (Vote 6-1)**

Ayes: Motsavage, Mihalko, Webb, Papastrat, Matzo, Berg

Nays: Rennia

Absent: None

### **Introductory Ordinance 14-64. Considered in Finance, Chair: Berg**

An Ordinance authorizing a revision to the 2013 Capital Budget

Motion to approve legislation. Moved by Berg, seconded by Mihalko.

### **Motion carried. Legislation adopted as Permanent Ordinance 14-63. (Vote 4-3)**

Ayes: Motsavage, Mihalko, Papastrat, Matzo

Nays: Rennia, Webb, Berg

Absent: None

### **Introductory Ordinance 14-65. Considered in Finance, Chair: Berg**

An Ordinance authorizing a change order for additional sediment removal from Trout Brook

1. Motion to approve legislation. Moved by Berg, seconded by Webb.
2. **Point of Order.** Council President stepped down from the Council President Chair to speak on the proposed legislation.
3. **Point of Order.** Council President Rennia resumed the Council President Chair.
4. **Motion carried. Legislation adopted as Permanent Ordinance 14-64. (Vote 7-0)**  
Ayes: Motsavage, Mihalko, Rennia, Webb, Papastrat, Matzo, Berg  
Nays: None  
Absent: None

### **Introductory Resolution 14-76. Considered in Public Works / Parks & Recreation, Chair: Motsavage**

A Resolution authorizing an Intermunicipal agreement to form the Broome-Tioga Stormwater Coalition

Motion to approve legislation. Moved by Motsavage, seconded by Webb.



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**Motion carried. Legislation adopted as Permanent Resolution 14-74. (Vote 7-0)**

Ayes: Motsavage, Mihalko, Rennia, Papastrat, Matzo, Berg  
Nays: None  
Absent: Webb

**Introductory Resolution 14-77. Considered in Public Works / Parks & Recreation, Chair: Motsavage**

A Resolution authorizing the Mayor to enter into Supplemental Agreement No. 1 with Clark Patterson Lee to perform additional preliminary design and survey work on the Front Street Gateway Project (PIN 9753.16)  
Motion to approve legislation. Moved by Motsavage, seconded by Webb.

**Motion carried. Legislation adopted as Permanent Resolution 14-75. (Vote 7-0)**

Ayes: Motsavage, Mihalko, Rennia, Webb, Papastrat, Matzo, Berg  
Nays: None  
Absent: None

**Introductory Resolution 14-78. Considered in Municipal and Public Affairs, Chair: Motsavage**

A Resolution to enter into an Agreement with Frito Lay, INC. for emergency confined Space Rescue  
Motion to approve legislation. Moved by Motsavage, seconded by Webb.

**Motion carried. Legislation adopted as Permanent Resolution 14-76. (Vote 7-0)**

Ayes: Motsavage, Mihalko, Rennia, Webb, Papastrat, Matzo, Berg  
Nays: None  
Absent: None

**RECONSIDERED LEGISLATION**

**Introductory Ordinance 14-59. Considered in Finance, Chair: Berg**

An Ordinance adopting the tax budget for the year 2015

*Note: Notice of the public hearing was published in the Press and Sun Bulletin on October 17, 2014. The public hearing was held at a Business Meeting on October 22, 2014. Legislation was adopted at a Special Business Meeting held on October 22, 2014. Thirteen amendments to the budget were vetoed by Mayor Richard C. David on November 6, 2014.*

Motion to override the mayoral veto of Council's elimination of \$3,000 from budget line A1440.51800 (Temporary Services).

Moved by Webb, seconded by Motsavage.

**Motion defeated. (Vote 4-3)**

Ayes: Motsavage, Rennia, Webb, Berg  
Nays: Mihalko, Matzo, Papastrat

Motion to override the mayoral veto of Council's elimination of \$5,000 from budget line A1620.54440 (Service & Repair).

Moved by Webb, seconded by Motsavage.

**Motion defeated. (Vote 4-3)**

Ayes: Motsavage, Rennia, Webb, Berg  
Nays: Mihalko, Matzo, Papastrat

Motion to override the mayoral veto of Council's elimination of \$2,080 from budget line A1650.54410 (Professional Services).

Moved by Webb, seconded by Motsavage.



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**Motion defeated. (Vote 4-3)**

Ayes: Motsavage, Rennia, Webb, Berg

Nays: Mihalko, Matzo, Papastrat

Motion to override the mayoral veto of Council's elimination of \$50,000 from budget line A5182.54202 (Electricity).

Moved by Webb, seconded by Motsavage.

**Motion defeated. (Vote 4-3)**

Ayes: Motsavage, Rennia, Webb, Berg

Nays: Mihalko, Matzo, Papastrat

Motion to override the mayoral veto of Council's elimination of \$3,000 from budget line A8684.54701 (Travel & Training)

Moved by Webb, seconded by Motsavage.

**Motion defeated. (Vote 4-3)**

Ayes: Motsavage, Rennia, Webb, Berg

Nays: Mihalko, Matzo, Papastrat

Motion to override the mayoral veto of Council's elimination of \$14,800 from budget line CL8160.51900 (Overtime).

Moved by Webb, seconded by Motsavage.

**Motion defeated. (Vote 4-3)**

Ayes: Motsavage, Rennia, Webb, Berg

Nays: Mihalko, Matzo, Papastrat

Motion to override the mayoral veto of Council's elimination of \$40,000 from budget line CL8160.54112 (Gasoline/Diesel Fuel).

Moved by Webb, seconded by Motsavage.

**Motion defeated. (Vote 4-3)**

Ayes: Motsavage, Rennia, Webb, Berg

Nays: Mihalko, Matzo, Papastrat

Motion to override the mayoral veto of Council's increase in the amount of \$4,150 of budget line CL8160.54662 (Yard Waste Fee).

Moved by Webb, seconded by Motsavage.

**Motion defeated. (Vote 4-3)**

Ayes: Motsavage, Rennia, Webb, Berg

Nays: Mihalko, Matzo, Papastrat

Motion to override the mayoral veto of Council's elimination of \$50,000 from budget line FX8330.54665 (JSTP IPP).

Moved by Webb, seconded by Motsavage.

**Motion defeated. (Vote 4-3)**

Ayes: Motsavage, Rennia, Webb, Berg

Nays: Mihalko, Matzo, Papastrat

Motion to override the mayoral veto of Council's elimination of \$1,000,000 from budget line H8340.525058.10515 (Water Lines)

Moved by Webb, seconded by Motsavage.



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## **Motion defeated. (Vote 4-3)**

Ayes: Motsavage, Rennia, Webb, Berg  
Nays: Mihalko, Matzo, Papastrat

Motion to override the mayoral veto of Council's elimination of \$2,000,000 from budget line H85182.525151.10515 (Street Light Replacement)

Moved by Webb, seconded by Motsavage.

## **Motion defeated. (Vote 3-4)**

Ayes: Rennia, Webb, Berg  
Nays: Mihalko, Matzo, Papastrat, Motsavage

Motion to override the mayoral veto of Council's elimination of \$1,000,000 from budget line H5650.525080.10515 (Parking Ramps)

Moved by Webb, seconded by Motsavage.

## **Motion defeated. (Vote 4-3)**

Ayes: Motsavage, Rennia, Webb, Berg  
Nays: Mihalko, Matzo, Papastrat

*Note: City Council was unable to override the Mayoral veto items. Therefore, tax budget for the year 2015 is approved to include the Mayor's thirteen budget amendments. Legislation adopted as Permanent Ordinance 14-65.*

## **Introductory Resolution 14-72. Considered in Public Works/Parks & Recreation, Chair: Motsavage**

A Resolution authorizing the Mayor to enter into Supplemental Agreement No. 2 with Clark Patterson Lee for additional design services for the Susquehanna North Bank Trail Development Project (PIN 9009.22)

*Note: Legislation was defeated by a 3-3-1 vote at the Business Meeting held on November 5, 2014.*

Motion to recall legislation

Moved Motsavage, seconded by Webb.

Ayes: Motsavage, Mihalko, Rennia, Webb, Matzo, Papastrat

Nays: Berg

Motion to approve legislation. Moved by Motsavage, seconded by Webb.

## **Motion carried. Legislation adopted as Permanent Resolution 14-77. (Vote 5-2)**

Ayes: Motsavage, Rennia, Webb, Papastrat, Matzo

Nays: Mihalko, Berg

Absent: None

## **COMMUNICATIONS FROM COUNCIL MEMBERS**

Berg, Papastrat, Matzo, Webb, Motsavage, Mihalko, Rennia

## **ADJOURNMENT**

Motion to adjourn at 8:09pm.

Moved by Berg, seconded by Webb.

**Voice vote, none opposed.**